

REMARKS/ARGUMENTS

Applicant has carefully reviewed and considered the Election/Restriction Office Action mailed on September 19, 2006, and the references cited therewith.

No claims are amended, cancelled, or added; as a result, claims 1-79 are now pending in this application.

Information Disclosure Statement

Applicant respectfully requests that a copy of the 1449 Form, listing all references that were submitted with the Information Disclosure Statement filed on March 12, 2004, marked as being considered and initialled by the Examiner, be returned with the next official communication.

Election/Restrictions

Restriction to one of the following groups was required:

- I. Claims 1-22, 56-65, and 70-79, drawn to a semiconductor device, classified in class 257, subclasses 288 and 368.
- II. Claims 23-55, drawn to a method of making a semiconductor device, classified in class 438, subclass 197.
- III. Claims 66-69, drawn to a method of making a semiconductor device, classified in class 365, subclass 182.

Applicant provisionally elects, with traverse, to prosecute the invention of Group I, and claims 1-22, 56-65, and 70-79.

The Election/Restriction Requirement is traversed, at least in part, on the basis that restriction requirements are optional in all cases. MPEP § 803. As the section further states, if the search and examination of all the claims in an application can be made without serious burden, the Examiner must examine it on the merits.

As such, Applicant respectfully submits that the separate Groups I, II, and III do not place a serious burden on the examiner. In addition, it is submitted that Applicant should not be required to incur the additional costs associated with the filing of multiple applications in order to obtain protection for the claimed subject matter. Accordingly, Applicant respectfully requests reconsideration and withdrawal of the Election/Restriction Requirement, and that claims 1-79 be examined on the merits together.

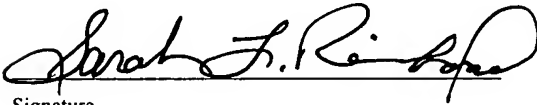
CONCLUSION

Applicant respectfully submits that the claims are in condition for allowance and notification to that effect is earnestly requested. The Examiner is invited to telephone Applicant's attorney Gregg Wisdom at (360) 212-8052 to facilitate prosecution of this matter.

At any time during the pendency of this application, please charge any additional fees or credit overpayment to the Deposit Account No. 08-2025.

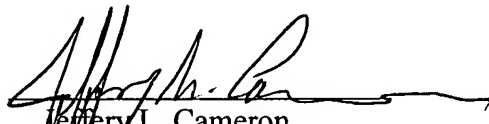
CERTIFICATE UNDER 37 CFR §1.8: The undersigned hereby certifies that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail, in an envelope addressed to: MS AMENDMENT Commissioner for Patents, P.O. BOX 1450, Alexandria, VA 22313-1450 on this 16th day of October, 2006.

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Respectfully Submitted,
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By: 
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Date: 10/16/06